

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CRYSTAL L. WHITE,)
Plaintiff)
vs.) Civil Action No. 06-246
JOANNE B. BARNHART, Commissioner) Judge Joy Flowers Conti/
of Social Security Administration,) Magistrate Judge Amy Reynolds Hay
Defendant)

ORDER

AND NOW, this 30th day of November, 2006, after the plaintiff, Crystal L. White, filed an action in the above-captioned case, and after motions for summary judgment were filed, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the motion for summary judgment filed by Plaintiff is denied;

IT IS FURTHER ORDERED that the motion for summary judgment filed by Defendant is granted;

IT IS FURTHER ORDERED that the decision of the Commission is affirmed;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order she must do so within

thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

/s/ Joy Flowers Conti
JOY FLOWERS CONTI
United States District Judge

cc: The Honorable Amy Reynolds Hay
United States Magistrate Judge

Terry K. Wheeler, Esq.
56 Clinton Street
Greenville, PA 16125

Paul Kovac
Assistant United States Attorney
United States Attorney's Office
700 Grant Street
Suite 400
Pittsburgh, PA 15219